

Land Use Ordinance

Clean Up Items

Introduction

The Select Board has identified several items in the Land Use Ordinance (“LUO”) that need to be cleaned up. The items, and their proposed corrections, are noted below.

1. A “food cart” is defined in Section 301 of the LUO entitled “Meaning of Words” but the term “food truck” is used in Subsection 803.1 (4) to mean the same thing.

Fix: change the title of the definition in Section 301 of the LUO to read: **Food Cart or Truck**:

2. Section 503 of the LUO entitled “Nonconforming Uses” contains subsections which are not numbered which throws off internal cross references.

Fix: insert the following numbered subsections of section 503:

1. **Continuance**
2. **Resumption**
3. **Discontinuance**
4. **Expansion of Time**

3. Section 505 of the LUO entitled “Changes in Nonconforming Lots, Structures and/or Uses” contains a cross reference to subsection 703.3, which no longer exists due to a prior redraft of Chapter 700.

Fix: Change the cross reference to Section 703 (4) – (6), which contain standards for variances. The last sentence of section 505 should be changed to read (new language underscored):

In making its determination, the Board of Appeals shall apply the standards of Section 703 (4) – (6) and, if applicable, Sections 1416.4 and 1416.5.

4. Sections 1304, entitled “Site Plan Content”, in subsection (1) under **Site Plan** and in subsection (1) under **Written Statement** are not gender neutral.

Fix: Amend both subsections to read “**her and/or his authorized agent**”. Thus section 1304 subsection (1) under **Site Plan** should read (new language underscored):

Name and address of the applicant and her and/or his authorized agent and name of proposed development and any land within 500 feet of the proposed development in which the applicant has title or interest.

In addition, 1304 subsection (1) under **Written Statement** should read (new language underscored):

Evidence by the applicant of her and/or his title and interest on the land that the application covers.